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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968
TRUMAN A. HERRON 1935-1978
EDWARD B. EVANS 1936-1971

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May 19, 2004

FACSIMILE COVER SHEET

To: Jordan M. Lofdahl
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Enclosures:

Fax Cover Sheet containing Certificate of
Facsimile Transmission (1 page)
Response to Restriction Requirement
containing Certificate of Facsimile
Transmission (2 pages)

From: Douglas A. Scholer
Reg. No. 52,197

Re: US Application
Serial No.: 10/700,412
Filed: November 4, 2003
Applicant: Robert McClure et al.
Art Unit: 3644
Confirmation No.: 5783
Our Ref.: DBS-02
Pages: 3 (including cover sheet)

MESSAGE/COMMENTS

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and the enclosures noted herein (3 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Jordan M. Lofdahl, Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at 703-872-9306 on May 19, 2004.

Judith L. Volk
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May 19, 2004
Date

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Judith L. Volk
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PATENT

DBS/02

Confirmation No. 5783

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert McClure et al.

Art Unit: 3644

Serial No.: 10/700,412

Examiner: Jordan M. Lofdahl

Filed: November 4, 2003

Atty. Docket No.: DBS/02

For: POSITIONAL BLASTING SYSTEM

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted to reply to the Office Action dated April 19, 2004, within the one-month period for response. In the Office Action, the Examiner subjected claims 1-69 to restriction, and more particularly, grouped the claims as follows:

- Group I (Claims 1-9, drawn to a blasting system);
- Group II (Claims 10-24, drawn to a method of preparing a detonator and discharging charges); and
- Group III (Claims 25-28, drawn to a program product).

Applicants elect Group I (claims 1-9) with traverse. Applicants respectfully disagree that Groups I, II, and III are patentably distinct, and therefore, traverse the election requirement.

Page 1 of 2
Serial No. 10/700,412
Response to Restriction Requirement dated May 19, 2004
In Response to Restriction Requirement of April 19, 2004
WH&E DBS/02
K:\DBS\02\Response to Restriction Requirement.wpd

Applicants assert a relationship is disclosed between Groups I, II, and III for the reasons discussed and advanced as follows:

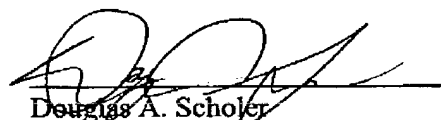
As recited in the claims and supported in the specification, the invention includes a system for detonating a plurality of charges. As recited in each independent claim of Groups I, II, and III, the invention relies on blasting information automatically determined using a programming unit/positional device. The claims of Groups I, II, and III recite similar such functionality, among other common features. As dictated by these common features, all embodiments of the invention claimed in Groups I, II, and III rely on similar modes of operation, function, and affect.

Early and favorable examination on the merits is respectfully requested upon receipt and entry of this Amendment.

If there are any questions regarding this paper, or which might otherwise further this case onto allowance, please contact the undersigned at (513) 241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

5/19/04
Date


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